

AMENDED IN ASSEMBLY MARCH 25, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 575

Introduced by Assembly Member ~~Members~~ O'Donnell and Atkins

February 24, 2015

An act to amend Section 33050 of, to amend and repeal Section 44661.5 of, to amend, repeal, and add Sections 44660, 44661, 44662, and 44664 of, and to add Sections 44662.1, 44662.5, 44662.6, and 44662.7 to, the Education Code, and to amend, repeal, and add Section 17581.6 of the Government Code, relating to teachers.

LEGISLATIVE COUNSEL'S DIGEST

AB 575, as amended, O'Donnell. Teachers: best practices teacher evaluation system.

(1) Existing law authorizes the governing board of a school district or a county board of education, as specified, after a public hearing on the matter, to request the State Board of Education to waive all or part of any section of the Education Code or any regulation adopted by the state board that implements a provision of the Education Code that may be waived, except for specified provisions.

This bill would include additional specified provisions of the Education Code, relating to teacher evaluation, that may not be waived.

(2) Existing law states the intent of the Legislature that governing boards of school districts establish a uniform system of evaluation and assessment of the performance of all certificated personnel within each school district of the state. Existing law requires the governing board of each school district to establish standards of expected pupil achievement at each grade level in each area of study and to evaluate and assess certificated employee performance on a continuing basis as

it reasonably relates to the progress of pupils toward the established standards and, if applicable, the state adopted academic content standards as measured by state adopted criterion referenced assessments, the instructional techniques and strategies used by the employee, the employee's adherence to curricular objectives, and the establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities.

This bill would provide that the provisions described above would become inoperative on July 1, 2018. The bill would state findings and declarations of the Legislature regarding the nature of effective teachers and of the teaching profession. Commencing on July 1, 2018, the bill would require the governing board of each school district *and the governing body of each charter school* to adopt and implement a locally negotiated best practices teacher evaluation system, described as one in which each teacher is evaluated on a continuing basis on the degree to which he or she accomplishes specific objectives and multiple observations of instructional and other professional practices that are conducted by trained evaluators. The bill would authorize the state board, in consultation with the Superintendent of Public Instruction and appropriate education stakeholder groups, to adopt nonregulatory guidance to support the implementation of a best practices teacher evaluation system by school ~~districts~~, *districts and charter schools*, as specified. The bill would, on or before May 1, 2016, require the governing board of each school ~~district~~, *district and the governing body of each charter school*, at a regularly scheduled public hearing, to seek comment on the development and implementation of the best practices teacher evaluation system, and, on or before May 1 of each year prior to local negotiations required by law, to seek comment on the best practices teacher evaluation system. *The bill would require if, by mutual agreement between the school district or charter school and the collective bargaining unit, an intermediate mid-year agreement is reached regarding a best practices teacher evaluation system, the negotiation timeline to allow time for the governing board of the school district or the governing body of the charter school to hold a public hearing to seek comment on the best practices teacher evaluation system.* The bill also would require the governing board of each school district *and the governing body of each charter school* to disclose the provisions of the best practices teacher evaluation system at a regularly scheduled public hearing. The bill would also require the governing board of each school district *and the governing body of each charter school* to establish

and define job responsibilities for certificated, noninstructional employees and evaluate and assess their performance in relation to those responsibilities. The bill would provide that these provisions do not apply to certificated personnel who are employed on an hourly basis in adult education classes. The bill would also provide that the provisions of the best practices teacher evaluation system do not supersede or invalidate a teacher evaluation system that is locally negotiated and that is in effect at the time the best practices teacher evaluation system becomes operative.

(3) Existing law requires that an evaluation and assessment of the performance of a certificated employee be made on a continuing basis, as provided, including at least every 5 years for personnel with permanent status who have been employed at least 10 years with the school district, are highly qualified, as specified, and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

This bill, commencing July 1, 2018, would require the evaluation and assessment of the above personnel at least every 3 years, except as locally negotiated and provided in the best practices teacher evaluation system. *The bill would also require charter schools to comply with these provisions.*

(4) Under the California Constitution, whenever the Legislature or a state agency mandates a new program or higher level of service on any local government, including a school district and a community college district, the state is required to provide a subvention of funds to reimburse the local government, with specified exceptions. Existing law requires certain funds appropriated in the annual Budget Act for reimbursement of the cost of a new program or increased level of service of an existing program mandated by statute or executive order to be available as a block grant to school districts, county offices of education, and charter schools to support specified state-mandated local programs and permits those entities to elect to receive that block grant funding in lieu of claiming mandated costs pursuant to the state claims process.

This bill would, as of July 1, 2018, add the best practices teacher evaluation system to the state-mandated local programs supported by the block grant funding.

(5) This bill would update cross-references and would make other nonsubstantive changes.

(6) By requiring school districts *and charter schools* to perform additional duties, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 33050 of the Education Code, as amended
2 by Section 80 of Chapter 755 of the Statutes of 2014, is amended
3 to read:

4 33050. (a) The governing board of a school district or a county
5 board of education, on a districtwide or countywide basis or on
6 behalf of one or more of its schools or programs, after a public
7 hearing on the matter, may request the state board to waive all or
8 part of any section of this code or any regulation adopted by the
9 state board that implements a provision of this code that may be
10 waived, except:

11 (1) Article 1 (commencing with Section 15700) and Article 2
12 (commencing with Section 15780) of Chapter 4 of Part 10 of
13 Division 1 of Title 1.

14 (2) Chapter 6 (commencing with Section 16000) of Part 10 of
15 Division 1 of Title 1.

16 (3) Chapter 12 (commencing with Section 17000), Chapter 12.5
17 (commencing with Section 17070.10), and Chapter 14
18 (commencing with Section 17085) of Part 10 of Division 1 of Title
19 1.

20 (4) Part 13 (commencing with Section 22000), Part 13.5
21 (commencing with Section 25900), and Part 14 (commencing with
22 Section 26000) of Division 1 of Title 1.

23 (5) Section 35735.1.

24 (6) Paragraph (8) of subdivision (a) of Section 37220.

25 (7) The following provisions of Part 10.5 (commencing with
26 Section 17210) of Division 1 of Title 1:

27 (A) Chapter 1 (commencing with Section 17210).

1 (B) Article 1 (commencing with Section 17251) to Article 6
2 (commencing with Section 17365), inclusive, of Chapter 3.

3 (C) Sections 17416 to 17429, inclusive; Sections 17459 and
4 17462; subdivision (a) of Section 17464; and Sections 17582 to
5 17591, inclusive.

6 (8) The following provisions of Part 24 (commencing with
7 Section 41000) of Division 3.

8 (A) Sections 41000 to 41360, inclusive.

9 (B) Sections 41420 to 41423, inclusive.

10 (C) Sections 41600 to 41863, inclusive.

11 (D) Sections 41930 to 42850, inclusive.

12 (9) Sections 44504 and 44505.

13 (10) Article 11 (commencing with Section 44660) of Chapter
14 3 of Part 25 of Division 3.

15 (11) Article 3 (commencing with Section 44930) of Chapter 4
16 of Part 25 of Division 3 and regulations in Title 5 of the California
17 Code of Regulations adopted pursuant to Article 3 (commencing
18 with Section 44930) of Chapter 4 of Part 25 of Division 3.

19 (12) Part 26 (commencing with Section 46000) of Division 4.

20 (13) Chapter 6 (commencing with Section 48900) and Chapter
21 6.5 (commencing with Section 49060) of Part 27 of Division 4.

22 (14) Section 51513.

23 (15) Section 52163.

24 (16) The identification and assessment criteria relating to any
25 categorical aid program, including Sections 52164.1 and 52164.6.

26 (17) Sections 52165, 52166, and 52178.

27 (18) Article 3 (commencing with Section 52850) of Chapter 12
28 of Part 28 of Division 4.

29 (19) Section 56364.1, except that this restriction shall not
30 prohibit the state board from approving any waiver of Section
31 56364.2, relating to full inclusion.

32 (20) Article 4 (commencing with Section 60640) of Chapter 5
33 of Part 33 of Division 4, relating to the California Assessment of
34 Student Performance and Progress (CAASPP), and any other
35 provisions of Chapter 5 (commencing with Section 60600) of Part
36 33 of Division 4 that establish requirements for the CAASPP.

37 (b) Any waiver of provisions related to the programs identified
38 in Section 52851 shall be granted only pursuant to Article 3
39 (commencing with Section 52850) of Chapter 12 of Part 28 of
40 Division 4.

1 (c) The waiver of an advisory committee required by law shall
2 be granted only pursuant to Article 4 (commencing with Section
3 52870) of Chapter 12 of Part 28 of Division 4.

4 (d) A request for a waiver submitted by the governing board of
5 a school district or a county board of education pursuant to
6 subdivision (a) shall include a written statement as to both of the
7 following:

8 (1) Whether the exclusive representative of employees, if any,
9 as provided in Chapter 10.7 (commencing with Section 3540) of
10 Division 4 of Title 1 of the Government Code, participated in the
11 development of the waiver.

12 (2) The exclusive representative's position regarding the waiver.

13 (e) A request for a waiver submitted pursuant to subdivision (a)
14 relating to a regional occupational center or program established
15 pursuant to Article 1 (commencing with Section 52300) of Chapter
16 9 of Part 28 of Division 4, which is operated by a joint powers
17 entity established pursuant to Chapter 5 (commencing with Section
18 6500) of Division 7 of Title 1 of the Government Code, shall be
19 submitted as a joint waiver request for each participating school
20 district and shall meet both of the following conditions:

21 (1) Each joint waiver request shall comply with all of the
22 requirements of this article.

23 (2) The submission of a joint waiver request shall be approved
24 by a unanimous vote of the governing board of the joint powers
25 agency.

26 SEC. 2. Section 44660 of the Education Code is amended to
27 read:

28 44660. (a) It is the intent of the Legislature that governing
29 boards establish a uniform system of evaluation and assessment
30 of the performance of all certificated personnel within each school
31 district of the state, including schools conducted or maintained by
32 county superintendents of education. The system shall involve the
33 development and adoption by each school district of objective
34 evaluation and assessment guidelines that may, at the discretion
35 of the governing board of the school district, be uniform throughout
36 the school district or, for compelling reasons, be individually
37 developed for territories or schools within the school district,
38 provided that all certificated personnel of the school district shall
39 be subject to a system of evaluation and assessment adopted
40 pursuant to this article.

1 (b) This article does not apply to certificated personnel who are
2 employed on an hourly basis in adult education classes.

3 (c) This section shall become inoperative on July 1, 2018, and,
4 as of January 1, 2019, is repealed, unless a later enacted statute,
5 that becomes operative on or before January 1, 2019, deletes or
6 extends the dates on which it becomes inoperative and is repealed.

7 SEC. 3. Section 44660 is added to the Education Code, to read:
8 44660. (a) The Legislature finds and declares all of the
9 following:

10 (1) Teaching is a professional endeavor, in which effective
11 practice is driven by an understanding of knowledge in the field
12 and a commitment to all pupils and their families.

13 (2) Excellent teaching requires knowledge, skills, artistry,
14 passion, and commitment.

15 (3) Effective teachers integrate ethical concern for children and
16 society, extensive subject matter competence, thoughtfully selected
17 pedagogical practices, and a depth of knowledge about their pupils,
18 including knowledge of child and adolescent development and
19 learning, an understanding of their individual strengths, interests,
20 and needs, and knowledge about their families and communities.

21 (4) Effective teachers share a common set of professional and
22 ethical obligations that includes a profound and fundamental
23 commitment to the growth and success of the individual pupils in
24 their care as well as to the strengthening and continual revitalization
25 of our democratic society.

26 (5) Certificated, noninstructional employees share the same
27 deep commitment to children, families, and communities, and they
28 provide essential support and administrative services to pupils and
29 teachers that enable pupils to succeed.

30 (b) The Legislature further finds and declares that because
31 teachers are the most important school-related factor for influencing
32 pupil academic success the primary purpose of an evaluation
33 system is to ensure that teachers meet the highest professional
34 standards of effective teaching, thereby resulting in high levels of
35 pupil learning.

36 (c) This article does not apply to certificated personnel who are
37 employed on an hourly basis in adult education classes.

38 (d) This section shall become operative on July 1, 2018.

39 SEC. 4. Section 44661 of the Education Code is amended to
40 read:

1 44661. (a) In the development and adoption of guidelines and
2 procedures pursuant to this article, the governing board of a school
3 district shall avail itself of the advice of the certificated
4 instructional personnel in the school district's organization of
5 certificated personnel.

6 (b) This section shall become inoperative on July 1, 2018, and,
7 as of January 1, 2019, is repealed, unless a later enacted statute,
8 that becomes operative on or before January 1, 2019, deletes or
9 extends the dates on which it becomes inoperative and is repealed.

10 SEC. 5. Section 44661 is added to the Education Code, to read:

11 44661. (a) The governing board of each school district *and*
12 *the governing body of each charter school* shall adopt and
13 implement a best practices teacher evaluation system as set forth
14 in this article.

15 (b) The best practices teacher evaluation system required to be
16 adopted pursuant to this article shall be locally negotiated pursuant
17 to Chapter 10.7 (commencing with Section 3540) of Division 4 of
18 Title 1 of the Government Code. If the certificated employees of
19 ~~the~~ *a school district or charter school* do not have an exclusive
20 bargaining representative, the governing board of the school district
21 *or the governing body of the charter school, as applicable,* shall
22 adopt objective evaluation and support components, as applicable,
23 that are consistent with this article.

24 (c) This section shall become operative on July 1, 2018.

25 SEC. 6. Section 44661.5 of the Education Code is amended to
26 read:

27 44661.5. (a) When developing and adopting objective
28 evaluation and assessment guidelines pursuant to Section 44660,
29 a school district may, by mutual agreement between the exclusive
30 representative of the certificated employees of the school district
31 and the governing board of the school district, include any objective
32 standards from the National Board for Professional Teaching
33 Standards or any objective standards from the California Standards
34 for the Teaching Profession if the standards to be included are
35 consistent with this article. If the certificated employees of the
36 school district do not have an exclusive representative, the school
37 district may adopt objective evaluation and assessment guidelines
38 consistent with this section.

39 (b) This section shall become inoperative on July 1, 2018, and,
40 as of January 1, 2019, is repealed, unless a later enacted statute,

1 that becomes operative on or before January 1, 2019, deletes or
2 extends the dates on which it becomes inoperative and is repealed.

3 SEC. 7. Section 44662 of the Education Code is amended to
4 read:

5 44662. (a) The governing board of each school district shall
6 establish standards of expected pupil achievement at each grade
7 level in each area of study.

8 (b) The governing board of each school district shall evaluate
9 and assess certificated employee performance as it reasonably
10 relates to:

11 (1) The progress of pupils toward the standards established
12 pursuant to subdivision (a) and, if applicable, the state adopted
13 academic content standards as measured by state adopted criterion
14 referenced assessments.

15 (2) The instructional techniques and strategies used by the
16 employee.

17 (3) The employee's adherence to curricular objectives.

18 (4) The establishment and maintenance of a suitable learning
19 environment, within the scope of the employee's responsibilities.

20 (c) The governing board of each school district shall establish
21 and define job responsibilities for certificated noninstructional
22 personnel, including, but not limited to, supervisory and
23 administrative personnel, whose responsibilities cannot be
24 evaluated appropriately under the provisions of subdivision (b)
25 and shall evaluate and assess the performance of those
26 noninstructional certificated employees as it reasonably relates to
27 the fulfillment of those responsibilities.

28 (d) Results of an employee's participation in the California Peer
29 Assistance and Review Program for Teachers established by Article
30 4.5 (commencing with Section 44500) shall be made available as
31 part of the evaluation conducted pursuant to this section.

32 (e) The evaluation and assessment of certificated employee
33 performance pursuant to this section shall not include the use of
34 publishers' norms established by standardized tests.

35 (f) Nothing in this section shall be construed as in any way
36 limiting the authority of school district governing boards to develop
37 and adopt additional evaluation and assessment guidelines or
38 criteria.

39 (g) This section shall become inoperative on July 1, 2018, and,
40 as of January 1, 2019, is repealed, unless a later enacted statute,

1 that becomes operative on or before January 1, 2019, deletes or
2 extends the dates on which it becomes inoperative and is repealed.

3 SEC. 8. Section 44662 is added to the Education Code, to read:

4 44662. (a) A best practices teacher evaluation system shall
5 include, but not be limited to, the following attributes:

6 (1) An evaluation of each teacher based on the degree to which
7 he or she accomplishes the following objectives:

8 (A) Engages and supports all pupils in learning, evidence of
9 which may include, but is not limited to, evidence of high
10 expectations and active pupil engagement for each pupil.

11 (B) Creates and maintains effective environments for pupil
12 learning, to the extent that those environments are within the
13 teacher's control.

14 (C) Understands and organizes subject matter for pupil learning,
15 evidence of which may include, but is not limited to, extensive
16 subject matter, content standards, and curriculum competence.

17 (D) Plans instruction and designs learning experiences for all
18 pupils, evidence of which may include, but is not limited to, use
19 of differentiated instruction and practices based upon pupil progress
20 and use of culturally responsive instruction, including, but not
21 limited to, incorporation of multicultural information and content
22 into the delivery of curriculum, to eliminate the achievement gap.

23 (E) Uses pupil assessment information to inform instruction
24 and to improve learning, evidence of which shall include, but is
25 not limited to, use of formative and summative assessments to
26 adjust instructional practices to meet the needs of individual pupils.
27 For certified employees who directly instruct English learner pupils
28 in acquiring English language fluency, the assessment information
29 shall include the results of assessments adopted pursuant to Chapter
30 7 (commencing with Section 60810) of Part 33 of Division 4.

31 (F) Develops, as a professional educator, evidence of which
32 may include, but is not limited to, consistent and positive
33 relationships with pupils, parents, staff, and administrators, use of
34 collaborative professional practices for improving instructional
35 strategies, participation in identified professional growth
36 opportunities, and use of meaningful self-assessment to improve
37 as a professional educator.

38 (G) Contributes to pupil academic growth based on multiple
39 measures, as follows:

1 (i) Multiple measures shall include state and local formative
2 and summative assessments in the grade levels and subjects that
3 these assessments are administered.

4 (ii) Multiple measures may include, but are not limited to,
5 classroom work, local and state academic assessments, and pupil
6 grades, classroom participation, presentations and performances,
7 and projects and portfolios.

8 (iii) For certificated employees who directly instruct English
9 learner pupils in acquiring English, measures shall include the
10 degree to which pupils acquire the English language development
11 standards adopted pursuant to former Section 60811.3, as that
12 section read on June 30, 2013, or Section 60811.4, for the purpose
13 of improving a pupil's English proficiency. Pupil data used for
14 purposes of teacher evaluation shall be confidential in the same
15 manner as all other elements of a teacher's personnel file.

16 (2) Multiple observations of instructional and other professional
17 practices that are conducted by evaluators who have been
18 appropriately trained and calibrated to ensure consistency and who
19 have demonstrated competence in teacher evaluation, as determined
20 by the school district.

21 (A) Multiple observations may include, but are not limited to,
22 classroom observations, one-on-one discussions, and review of
23 classroom materials and course of study.

24 (B) Observations shall be conducted using a uniform evaluation
25 tool that is appropriate to the teacher's assignment.

26 (C) Before each formal observation, the observer shall meet
27 with the teacher to discuss the purpose of the observation.

28 (D) After each formal observation, the observer shall meet with
29 the teacher to discuss recommendations, as necessary, with regard
30 to areas of improvement in the performance of the teacher.

31 (3) A minimum of three performance levels for the evaluation
32 of teacher performance for purposes of Section 44664.

33 (4) Each of the attributes set forth in paragraph (1) shall account
34 for not less than 10 percent of the overall evaluation for each
35 teacher.

36 (b) This section shall not be interpreted to prohibit a locally
37 negotiated evaluation process from designating certificated
38 employees to conduct, or participate in, evaluations of other
39 certificated employees for purposes of determining needs for
40 professional development or providing corrective advice for the

1 certificated employee being evaluated. A nonsupervisory
2 certificated employee who conducts, or participates in, an
3 evaluation pursuant to this article shall not be deemed to be
4 exercising a management or supervisory function as defined by
5 subdivision (g) or (m) of Section 3540.1 of the Government Code.

6 (c) This section shall become operative on July 1, 2018.

7 SEC. 9. Section 44662.1 is added to the Education Code, to
8 read:

9 44662.1. The state board, in consultation with the
10 Superintendent and appropriate education stakeholder groups, may
11 adopt nonregulatory guidance to support the implementation of a
12 best practices teacher evaluation system by school districts *and*
13 *charter schools* that may include all of the following:

14 (a) Model evaluation systems that may be used by school
15 districts *and charter schools* to implement the best practices teacher
16 evaluation system pursuant to Sections 44661 and 44662, as added
17 by Sections 5 and 8 of Assembly Bill _____ 575 of the 2015–16
18 Regular Session.

19 (b) Model processes for implementing observations of
20 instructional and other professional practices pursuant to paragraph
21 (2) of subdivision (a) of Section 44662, as added by Section 8 of
22 Assembly Bill _____ 575 of the 2015–16 Regular Session.

23 (c) Model processes for defining calibration for purposes of
24 training evaluators pursuant to paragraph (2) of subdivision (a) of
25 Section 44662, as added by Section 8 of Assembly Bill _____ 575
26 of the 2015–16 Regular Session.

27 (d) Model processes for developing the observation tool that
28 may be used for observations of instructional and other professional
29 practices pursuant to paragraph (2) of subdivision (a) of Section
30 44662, as added by Section 8 of Assembly Bill _____ 575 of the
31 2015–16 Regular Session.

32 (e) Model processes for determining and defining the
33 performance levels for the evaluation of teacher performance
34 pursuant to paragraph (3) of subdivision (a) of Section 44662, as
35 added by Section 8 of Assembly Bill _____ 575 of the 2015–16
36 Regular Session.

37 SEC. 10. Section 44662.5 is added to the Education Code, to
38 read:

39 44662.5. (a) The governing board of each school district *and*
40 *the governing body of each charter school* shall establish and

1 define job responsibilities for certificated, noninstructional
2 employees, including, but not limited to, supervisory and
3 administrative personnel, whose responsibilities cannot be
4 evaluated appropriately under the provisions of subdivision (a) of
5 Section 44662. The governing board of each school district *and*
6 *the governing body of each charter school* shall evaluate and assess
7 the performance of certificated, noninstructional employees as it
8 reasonably relates to the fulfillment of those responsibilities.

9 (b) This section shall become operative on July 1, 2018.

10 SEC. 11. Section 44662.6 is added to the Education Code, to
11 read:

12 44662.6. (a) (1) On or before May 1, 2016, the governing
13 board of each school ~~district~~, *district and the governing body of*
14 *each charter school*, at a regularly scheduled public hearing, shall
15 seek comment on the development and implementation of the best
16 practices teacher evaluation system. The governing board of ~~a each~~
17 school district *and the governing body of each charter school* shall
18 use the comments received at the hearing to guide the development
19 and implementation of the best practices teacher evaluation system.

20 (2) On or before May 1 of each year prior to local negotiations
21 required pursuant to Chapter 10.7 (commencing with Section 3540)
22 of Division 4 of Title 1 of the Government Code, the governing
23 board of each school district *and the governing body of each*
24 *charter school* shall seek comment on the best practices teacher
25 evaluation system.

26 (3) *If, by mutual agreement between a school district or charter*
27 *school and the collective bargaining unit, an intermediate mid-year*
28 *agreement is reached regarding a best practices teacher evaluation*
29 *system, the negotiation timeline shall allow time for the governing*
30 *board of the school district or the governing body of the charter*
31 *school to hold a public hearing to seek comment on the best*
32 *practices teacher evaluation system.*

33 (b) Consistent with Section 3547 of the Government Code and
34 no more than 30 days after the local negotiations required pursuant
35 to Chapter 10.7 (commencing with Section 3540) of Division 4 of
36 Title 1 of the Government Code, the governing board of each
37 school district *and the governing body of each charter school* shall
38 disclose the provisions of the best practices teacher evaluation
39 system at a regularly scheduled public hearing.

1 SEC. 12. Section 44662.7 is added to the Education Code, to
2 read:

3 44662.7. (a) This article does not supersede or invalidate a
4 teacher evaluation system that is locally negotiated pursuant to
5 Chapter 10.7 (commencing with Section 3540) of Division 4 of
6 Title 1 of the Government Code and that is in effect at the time
7 this section becomes operative. If a locally negotiated teacher
8 evaluation system is in effect at the time this section becomes
9 operative, the teacher evaluation system shall remain in effect until
10 the parties to the agreement negotiate a successor agreement.

11 (b) This section shall become operative on July 1, 2018.

12 SEC. 13. Section 44664 of the Education Code is amended to
13 read:

14 44664. (a) Evaluation and assessment of the performance of
15 each certificated employee shall be made on a continuing basis as
16 follows:

17 (1) At least once each school year for probationary personnel.

18 (2) At least every other year for personnel with permanent status.

19 (3) At least every five years for personnel with permanent status
20 who have been employed at least 10 years with the school district,
21 are highly qualified, if those personnel occupy positions that are
22 required to be filled by a highly qualified professional by the
23 federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301
24 et seq.), as defined in Section 7801 of Title 20 of the United States
25 Code, and whose previous evaluation rated the employee as
26 meeting or exceeding standards, if the evaluator and certificated
27 employee being evaluated agree. The certificated employee or the
28 evaluator may withdraw consent at any time.

29 (b) The evaluation shall include recommendations, if necessary,
30 as to areas of improvement in the performance of the employee.

31 (1) If an employee is not performing his or her duties in a
32 satisfactory manner according to the standards prescribed by the
33 governing board of the school district, the employing authority
34 shall notify the employee in writing of that fact and describe the
35 unsatisfactory performance.

36 (2) The employing authority shall thereafter confer with the
37 employee making specific recommendations as to areas of
38 improvement in the employee's performance and endeavor to assist
39 the employee in his or her performance.

1 (3) If a permanent certificated employee has received an
2 unsatisfactory evaluation, the employing authority shall annually
3 evaluate the employee until the employee achieves a positive
4 evaluation or is separated from the school district.

5 (c) (1) An evaluation performed pursuant to this article that
6 contains an unsatisfactory rating of an employee's performance
7 in the area of teaching methods or instruction may include the
8 requirement that the certificated employee shall, as determined
9 necessary by the employing authority, participate in a program
10 designed to improve appropriate areas of the employee's
11 performance and to further pupil achievement and the instructional
12 objectives of the employing authority.

13 (2) If a school district participates in the California Peer
14 Assistance and Review Program for Teachers established pursuant
15 to Article 4.5 (commencing with Section 44500), a certificated
16 employee who receives an unsatisfactory rating on an evaluation
17 performed pursuant to this section shall participate in the California
18 Peer Assistance and Review Program for Teachers.

19 (d) Hourly and temporary hourly certificated employees, other
20 than those employed in adult education classes who are excluded
21 by the provisions of Section 44660, and substitute teachers may
22 be excluded from the provisions of this section at the discretion
23 of the governing board of the school district.

24 (e) This section shall become inoperative on July 1, 2018, and,
25 as of January 1, 2019, is repealed, unless a later enacted statute,
26 that becomes operative on or before January 1, 2019, deletes or
27 extends the dates on which it becomes inoperative and is repealed.

28 SEC. 14. Section 44664 is added to the Education Code, to
29 read:

30 44664. (a) Evaluation and assessment of the performance of
31 each certificated employee shall be made on a continuing basis as
32 follows:

33 (1) At least once each school year for probationary personnel.

34 (2) At least every other year for personnel with permanent status.

35 (3) (A) Except as may be provided in the best practices teacher
36 evaluation system locally negotiated pursuant to subdivision (b)
37 of Section 44661, at least every three years for personnel with
38 permanent status who have been employed at least 10 years with
39 the school ~~district~~, *district or charter school*, are highly qualified,
40 if those personnel occupy positions that are required to be filled

1 by a highly qualified professional by the federal No Child Left
2 Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.), as defined in
3 Section 7801 of Title 20 of the United States Code, and whose
4 previous evaluation rated the employee as meeting or exceeding
5 standards, if the evaluator and certificated employee being
6 evaluated agree. The certificated employee or the evaluator may
7 withdraw consent at any time.

8 *(B) The evaluator shall conduct at least one informal*
9 *observation per year during a year when the certificated employee*
10 *does not receive a formal performance evaluation and assessment.*

11 (b) The evaluation shall include recommendations, if necessary,
12 as to areas of improvement in the performance of the employee.

13 (1) If an employee is not performing his or her duties in a
14 satisfactory manner according to the standards prescribed by the
15 governing board of the school ~~district~~, *district or the governing*
16 *body of the charter school*, the employing authority shall notify
17 the employee in writing of that fact and describe the unsatisfactory
18 performance.

19 (2) The employing authority shall thereafter confer with the
20 employee making specific recommendations as to areas of
21 improvement in the employee's performance and endeavor to assist
22 the employee in his or her performance.

23 (3) If a permanent certificated employee has received an
24 unsatisfactory evaluation, the employing authority shall annually
25 evaluate the employee until the employee achieves a positive
26 evaluation or is separated from the school ~~district~~. *district or*
27 *charter school*.

28 (c) (1) An evaluation performed pursuant to this article that
29 contains an unsatisfactory rating of an employee's performance
30 in the area of teaching methods or instruction may include the
31 requirement that the certificated employee shall, as determined
32 necessary by the employing authority, participate in a program
33 designed to improve appropriate areas of the employee's
34 performance and to further pupil achievement and the instructional
35 objectives of the employing authority.

36 (2) If a school *district or charter school* participates in the
37 California Peer Assistance and Review Program for Teachers
38 established pursuant to Article 4.5 (commencing with Section
39 44500), a certificated employee *of that school district or charter*
40 *school* who receives an unsatisfactory rating on an evaluation

1 performed pursuant to this section shall participate in the California
2 Peer Assistance and Review Program for Teachers.

3 (d) Hourly and temporary hourly certificated employees, other
4 than those employed in adult education classes who are excluded
5 by the provisions of Section 44660, and substitute teachers may
6 be excluded from the provisions of this section at the discretion
7 of the governing board of the school—~~district~~. *district or the*
8 *governing body of the charter school*.

9 (e) This section shall become operative on July 1, 2018.

10 SEC. 15. Section 17581.6 of the Government Code is amended
11 to read:

12 17581.6. (a) Funding apportioned pursuant to this section shall
13 constitute reimbursement pursuant to Section 6 of Article XIII B
14 of the California Constitution for the performance of any state
15 mandates included in the statutes and executive orders identified
16 in subdivision (e).

17 (b) Any school district, county office of education, or charter
18 school may elect to receive block grant funding pursuant to this
19 section.

20 (c) (1) A school district, county office of education, or charter
21 school that elects to receive block grant funding pursuant to this
22 section in a given fiscal year shall submit a letter requesting
23 funding to the Superintendent of Public Instruction on or before
24 August 30 of that fiscal year.

25 (2) The Superintendent of Public Instruction shall, in the month
26 of November of each year, apportion block grant funding
27 appropriated pursuant to Item 6110-296-0001 of Section 2.00 of
28 the annual Budget Act to all school districts, county offices of
29 education, and charter schools that submitted letters requesting
30 funding in that fiscal year according to the provisions of that item.

31 (3) A school district or county office of education that receives
32 block grant funding pursuant to this section shall not be eligible
33 to submit claims to the Controller for reimbursement pursuant to
34 Section 17560 for any costs of any state mandates included in the
35 statutes and executive orders identified in subdivision (e) incurred
36 in the same fiscal year during which the school district or county
37 office of education received funding pursuant to this section.

38 (d) Block grant funding apportioned pursuant to this section is
39 subject to annual financial and compliance audits required by
40 Section 41020 of the Education Code.

(e) Block grant funding apportioned pursuant to this section is specifically intended to fund the costs of the following programs and activities:

(1) Academic Performance Index (01-TC-22; Chapter 3 of the Statutes of 1999, First Extraordinary Session; and Chapter 695 of the Statutes of 2000).

(2) Agency Fee Arrangements (00-TC-17 and 01-TC-14; Chapter 893 of the Statutes of 2000 and Chapter 805 of the Statutes of 2001).

(3) AIDS Instruction and AIDS Prevention Instruction (CSM 4422, 99-TC-07, and 00-TC-01; Chapter 818 of the Statutes of 1991; and Chapter 403 of the Statutes of 1998).

(4) California State Teachers' Retirement System (CalSTRS) Service Credit (02-TC-19; Chapter 603 of the Statutes of 1994; Chapters 383, 634, and 680 of the Statutes of 1996; Chapter 838 of the Statutes of 1997; Chapter 965 of the Statutes of 1998; Chapter 939 of the Statutes of 1999; and Chapter 1021 of the Statutes of 2000).

(5) Caregiver Affidavits (CSM 4497; Chapter 98 of the Statutes of 1994).

(6) Charter Schools I, II, and III (CSM 4437, 99-TC-03, and 99-TC-14; Chapter 781 of the Statutes of 1992; Chapters 34 and 673 of the Statutes of 1998; Chapter 34 of the Statutes of 1998; and Chapter 78 of the Statutes of 1999).

(7) Charter Schools IV (03-TC-03; Chapter 1058 of the Statutes of 2002).

(8) Child Abuse and Neglect Reporting ~~(01-TC-21; 01-TC-21;~~ Chapters 640 and 1459 of the Statutes of 1987; Chapter 132 of the Statutes of 1991; Chapter 459 of the Statutes of 1992; Chapter 311 of the Statutes of 1998; Chapter 916 of the Statutes of 2000; and Chapters 133 and 754 of the Statutes of 2001).

(9) Collective Bargaining (CSM 4425; Chapter 961 of the Statutes of 1975).

(10) Comprehensive School Safety Plans (98-TC-01 and 99-TC-10; Chapter 736 of the Statutes of 1997; Chapter 996 of the Statutes of 1999; and Chapter 828 of the Statutes of 2003).

(11) Consolidation of Annual Parent Notification/Schoolsite Discipline Rules/Alternative Schools (CSM 4488, CSM 4461, 99-TC-09, 00-TC-12, 97-TC-24, CSM 4453, CSM 4474, CSM 4462; Chapter 448 of the Statutes of 1975; Chapter 965 of the

1 Statutes of 1977; Chapter 975 of the Statutes of 1980; Chapter 469
2 of the Statutes of 1981; Chapter 459 of the Statutes of 1985;
3 Chapters 87 and 97 of the Statutes of 1986; Chapter 1452 of the
4 Statutes of 1987; Chapters 65 and 1284 of the Statutes of 1988;
5 Chapter 213 of the Statutes of 1989; Chapters 10 and 403 of the
6 Statutes of 1990; Chapter 906 of the Statutes of 1992; Chapter
7 1296 of the Statutes of 1993; Chapter 929 of the Statutes of 1997;
8 Chapters 846 and 1031 of the Statutes of 1998; Chapter 1 of the
9 Statutes of 1999, First Extraordinary Session; Chapter 73 of the
10 Statutes of 2000; Chapter 650 of the Statutes of 2003; Chapter 895
11 of the Statutes of 2004; and Chapter 677 of the Statutes of 2005).

12 (12) Consolidation of Law Enforcement Agency Notification
13 and Missing Children Reports (CSM 4505; Chapter 1117 of the
14 Statutes of 1989 and 01-TC-09; Chapter 249 of the Statutes of
15 1986; and Chapter 832 of the Statutes of 1999).

16 (13) Consolidation of Notification to Teachers: Pupils Subject
17 to Suspension or Expulsion I and II, and Pupil Discipline Records
18 (00-TC-10 and 00-TC-11; Chapter 345 of the Statutes of 2000).

19 (14) County Office of Education Fiscal Accountability Reporting
20 (97-TC-20; Chapters 917 and 1452 of the Statutes of 1987;
21 Chapters 1461 and 1462 of the Statutes of 1988; Chapter 1372 of
22 the Statutes of 1990; Chapter 1213 of the Statutes of 1991; Chapter
23 323 of the Statutes of 1992; Chapters 923 and 924 of the Statutes
24 of 1993; Chapters 650 and 1002 of the Statutes of 1994; and
25 Chapter 525 of the Statutes of 1995).

26 (15) Criminal Background Checks (97-TC-16; Chapters 588
27 and 589 of the Statutes of 1997).

28 (16) Criminal Background Checks II (00-TC-05; Chapters 594
29 and 840 of the Statutes of 1998; and Chapter 78 of the Statutes of
30 1999).

31 (17) Developer Fees (02-TC-42; Chapter 955 of the Statutes of
32 1977; Chapter 282 of the Statutes of 1979; Chapter 1354 of the
33 Statutes of 1980; Chapter 201 of the Statutes of 1981; Chapter 923
34 of the Statutes of 1982; Chapter 1254 of the Statutes of 1983;
35 Chapter 1062 of the Statutes of 1984; Chapter 1498 of the Statutes
36 of 1985; Chapters 136 and 887 of the Statutes of 1986; and Chapter
37 1228 of the Statutes of 1994).

38 (18) Differential Pay and Reemployment (99-TC-02; Chapter
39 30 of the Statutes of 1998).

- 1 (19) Expulsion of Pupil: Transcript Cost for Appeals (SMAS;
2 Chapter 1253 of the Statutes of 1975).
- 3 (20) Financial and Compliance Audits (CSM 4498 and CSM
4 4498-A; Chapter 36 of the Statutes of 1977).
- 5 (21) Graduation Requirements (CSM 4181; Chapter 498 of the
6 Statutes of 1983).
- 7 (22) Habitual Truants (CSM 4487 and CSM 4487-A; Chapter
8 1184 of the Statutes of 1975).
- 9 (23) High School Exit Examination (00-TC-06; Chapter 1 of
10 the Statutes of 1999, First Extraordinary Session; and Chapter 135
11 of the Statutes of 1999).
- 12 (24) Immunization Records (SB 90-120; Chapter 1176 of the
13 Statutes of 1977).
- 14 (25) Immunization Records—Hepatitis B (98-TC-05; Chapter
15 325 of the Statutes of 1978; Chapter 435 of the Statutes of 1979;
16 Chapter 472 of the Statutes of 1982; Chapter 984 of the Statutes
17 of 1991; Chapter 1300 of the Statutes of 1992; Chapter 1172 of
18 the Statutes of 1994; Chapters 291 and 415 of the Statutes of 1995;
19 Chapter 1023 of the Statutes of 1996; and Chapters 855 and 882
20 of the Statutes of 1997).
- 21 (26) Interdistrict Attendance Permits (CSM 4442; Chapters 172
22 and 742 of the Statutes of 1986; Chapter 853 of the Statutes of
23 1989; Chapter 10 of the Statutes of 1990; and Chapter 120 of the
24 Statutes of 1992).
- 25 (27) Intradistrict Attendance (CSM 4454; Chapters 161 and 915
26 of the Statutes of 1993).
- 27 (28) Juvenile Court Notices II (CSM 4475; Chapters 1011 and
28 1423 of the Statutes of 1984; Chapter 1019 of the Statutes of 1994;
29 and Chapter 71 of the Statutes of 1995).
- 30 (29) Notification of Truancy (CSM 4133; Chapter 498 of the
31 Statutes of 1983; Chapter 1023 of the Statutes of 1994; and Chapter
32 19 of the Statutes of 1995).
- 33 (30) Parental Involvement Programs (03-TC-16; Chapter 1400
34 of the Statutes of 1990; Chapters 864 and 1031 of the Statutes of
35 1998; and Chapter 1037 of the Statutes of 2002).
- 36 (31) Physical Performance Tests (96-365-01; Chapter 975 of
37 the Statutes of 1995).
- 38 (32) Prevailing Wage Rate (01-TC-28; Chapter 1249 of the
39 Statutes of 1978).

1 (33) Public Contracts (02-TC-35; Chapter 1073 of the Statutes
2 of 1985; Chapter 1408 of the Statutes of 1988; Chapter 330 of the
3 Statutes of 1989; Chapter 1414 of the Statutes of 1990; Chapter
4 321 of the Statutes of 1990; Chapter 799 of the Statutes of 1992;
5 and Chapter 726 of the Statutes of 1994).

6 (34) Pupil Health Screenings (CSM 4440; Chapter 1208 of the
7 Statutes of 1976; Chapter 373 of the Statutes of 1991; and Chapter
8 750 of the Statutes of 1992).

9 (35) Pupil Promotion and Retention (98-TC-19; Chapter 100
10 of the Statutes of 1981; Chapter 1388 of the Statutes of 1982;
11 Chapter 498 of the Statutes of 1983; Chapter 1263 of the Statutes
12 of 1990; and Chapters 742 and 743 of the Statutes of 1998).

13 (36) Pupil Safety Notices (02-TC-13; Chapter 498 of the Statutes
14 of 1983; Chapter 482 of the Statutes of 1984; Chapter 948 of the
15 Statutes of 1984; Chapter 196 of the Statutes of 1986; Chapter 332
16 of the Statutes of 1986; Chapter 445 of the Statutes of 1992;
17 Chapter 1317 of the Statutes of 1992; Chapter 589 of the Statutes
18 of 1993; Chapter 1172 of the Statutes of 1994; Chapter 1023 of
19 the Statutes of 1996; and Chapter 492 of the Statutes of 2000).

20 (37) Pupil Expulsions (CSM 4455; Chapter 1253 of the Statutes
21 of 1975; Chapter 965 of the Statutes of 1977; Chapter 668 of the
22 Statutes of 1978; Chapter 318 of the Statutes of 1982; Chapter 498
23 of the Statutes of 1983; Chapter 622 of the Statutes of 1984;
24 Chapter 942 of the Statutes of 1987; Chapter 1231 of the Statutes
25 of 1990; Chapter 152 of the Statutes of 1992; Chapters 1255, 1256,
26 and 1257 of the Statutes of 1993; and Chapter 146 of the Statutes
27 of 1994).

28 (38) Pupil Expulsion Appeals (CSM 4463; Chapter 1253 of the
29 Statutes of 1975; Chapter 965 of the Statutes of 1977; Chapter 668
30 of the Statutes of 1978; and Chapter 498 of the Statutes of 1983).

31 (39) Pupil Suspensions (CSM 4456; Chapter 965 of the Statutes
32 of 1977; Chapter 668 of the Statutes of 1978; Chapter 73 of the
33 Statutes of 1980; Chapter 498 of the Statutes of 1983; Chapter 856
34 of the Statutes of 1985; and Chapter 134 of the Statutes of 1987).

35 (40) School Accountability Report Cards (97-TC-21, 00-TC-09,
36 00-TC-13, and 02-TC-32; Chapter 918 of the Statutes of 1997;
37 Chapter 912 of the Statutes of 1997; Chapter 824 of the Statutes
38 of 1994; Chapter 1031 of the Statutes of 1993; Chapter 759 of the
39 Statutes of 1992; and Chapter 1463 of the Statutes of 1989).

1 (41) School District Fiscal Accountability Reporting (97-TC-19;
2 Chapter 100 of the Statutes of 1981; Chapter 185 of the Statutes
3 of 1985; Chapter 1150 of the Statutes of 1986; Chapters 917 and
4 1452 of the Statutes of 1987; Chapters 1461 and 1462 of the
5 Statutes of 1988; Chapter 525 of the Statutes of 1990; Chapter
6 1213 of the Statutes of 1991; Chapter 323 of the Statutes of 1992;
7 Chapters 923 and 924 of the Statutes of 1993; Chapters 650 and
8 1002 of the Statutes of 1994; and Chapter 525 of the Statutes of
9 1995).

10 (42) School District Reorganization (98-TC-24; Chapter 1192
11 of the Statutes of 1980; and Chapter 1186 of the Statutes of 1994).

12 (43) Student Records (02-TC-34; Chapter 593 of the Statutes
13 of 1989; Chapter 561 of the Statutes of 1993; Chapter 311 of the
14 Statutes of 1998; and Chapter 67 of the Statutes of 2000).

15 (44) The Stull Act (98-TC-25; Chapter 498 of the Statutes of
16 1983; and Chapter 4 of the Statutes of 1999).

17 (45) Threats Against Peace Officers (CSM 96-365-02; Chapter
18 1249 of the Statutes of 1992; and Chapter 666 of the Statutes of
19 1995).

20 (46) Uniform Complaint Procedures (03-TC-02; Chapter 1117
21 of the Statutes of 1982; Chapter 1514 of the Statutes 1988; and
22 Chapter 914 of the Statutes of 1998).

23 (47) Williams Case Implementation I, II, and III (05-TC-04,
24 07-TC-06, and 08-TC-01; Chapters 900, 902, and 903 of the
25 Statutes of 2004; Chapter 118 of the Statutes of 2005; Chapter 704
26 of the Statutes of 2006; and Chapter 526 of the Statutes of 2007).

27 (48) Pupil Expulsions II, Pupil Suspensions II, and Educational
28 Services Plan for Expelled Pupils (96-358-03, 03A, 98-TC-22,
29 01-TC-18, 98-TC-23, 97-TC-09; Chapters 972 and 974 of the
30 Statutes of 1995; Chapters 915, 937, and 1052 of the Statutes of
31 1996; Chapter 637 of the Statutes of 1997; Chapter 498 of the
32 Statutes of 1998; Chapter 332 of the Statutes of 1999; Chapter 147
33 of the Statutes of 2000; and Chapter 116 of the Statutes of 2001).

34 (f) Notwithstanding Section 10231.5, on or before November
35 1 of each fiscal year, the Superintendent of Public Instruction shall
36 produce a report that indicates the total amount of block grant
37 funding each school district, county office of education, and charter
38 school received in that fiscal year pursuant to this section. The
39 Superintendent of Public Instruction shall provide this report to
40 the appropriate fiscal and policy committees of the Legislature,

1 the Controller, the Department of Finance, and the Legislative
2 Analyst's Office.

3 (g) This section shall become inoperative on July 1, 2018, and,
4 as of January 1, 2019, is repealed, unless a later enacted statute,
5 that becomes operative on or before January 1, 2019, deletes or
6 extends the dates on which it becomes inoperative and is repealed.

7 SEC. 16. Section 17581.6 is added to the Government Code,
8 to read:

9 17581.6. (a) Funding apportioned pursuant to this section shall
10 constitute reimbursement pursuant to Section 6 of Article XIII B
11 of the California Constitution for the performance of any state
12 mandates included in the statutes and executive orders identified
13 in subdivision (e).

14 (b) Any school district, county office of education, or charter
15 school may elect to receive block grant funding pursuant to this
16 section.

17 (c) (1) A school district, county office of education, or charter
18 school that elects to receive block grant funding pursuant to this
19 section in a given fiscal year shall submit a letter requesting
20 funding to the Superintendent of Public Instruction on or before
21 August 30 of that fiscal year.

22 (2) The Superintendent of Public Instruction shall, in the month
23 of November of each year, apportion block grant funding
24 appropriated pursuant to Item 6110-296-0001 of Section 2.00 of
25 the annual Budget Act to all school districts, county offices of
26 education, and charter schools that submitted letters requesting
27 funding in that fiscal year according to the provisions of that item.

28 (3) A school district or county office of education that receives
29 block grant funding pursuant to this section shall not be eligible
30 to submit claims to the Controller for reimbursement pursuant to
31 Section 17560 for any costs of any state mandates included in the
32 statutes and executive orders identified in subdivision (e) incurred
33 in the same fiscal year during which the school district or county
34 office of education received funding pursuant to this section.

35 (d) Block grant funding apportioned pursuant to this section is
36 subject to annual financial and compliance audits required by
37 Section 41020 of the Education Code.

38 (e) Block grant funding apportioned pursuant to this section is
39 specifically intended to fund the costs of the following programs
40 and activities:

- 1 (1) Academic Performance Index (01-TC-22; Chapter 3 of the
2 Statutes of 1999, First Extraordinary Session; and Chapter 695 of
3 the Statutes of 2000).
- 4 (2) Agency Fee Arrangements (00-TC-17 and 01-TC-14;
5 Chapter 893 of the Statutes of 2000 and Chapter 805 of the Statutes
6 of 2001).
- 7 (3) AIDS Instruction and AIDS Prevention Instruction (CSM
8 4422, 99-TC-07, and 00-TC-01; Chapter 818 of the Statutes of
9 1991; and Chapter 403 of the Statutes of 1998).
- 10 (4) California State Teachers' Retirement System (CalSTRS)
11 Service Credit (02-TC-19; Chapter 603 of the Statutes of 1994;
12 Chapters 383, 634, and 680 of the Statutes of 1996; Chapter 838
13 of the Statutes of 1997; Chapter 965 of the Statutes of 1998;
14 Chapter 939 of the Statutes of 1999; and Chapter 1021 of the
15 Statutes of 2000).
- 16 (5) Caregiver Affidavits (CSM 4497; Chapter 98 of the Statutes
17 of 1994).
- 18 (6) Charter Schools I, II, and III (CSM 4437, 99-TC-03, and
19 99-TC-14; Chapter 781 of the Statutes of 1992; Chapters 34 and
20 673 of the Statutes of 1998; Chapter 34 of the Statutes of 1998;
21 and Chapter 78 of the Statutes of 1999).
- 22 (7) Charter Schools IV (03-TC-03; Chapter 1058 of the Statutes
23 of 2002).
- 24 (8) Child Abuse and Neglect Reporting ~~(01-TC-21; (01-TC-21;~~
25 Chapters 640 and 1459 of the Statutes of 1987; Chapter 132 of the
26 Statutes of 1991; Chapter 459 of the Statutes of 1992; Chapter 311
27 of the Statutes of 1998; Chapter 916 of the Statutes of 2000; and
28 Chapters 133 and 754 of the Statutes of 2001).
- 29 (9) Collective Bargaining (CSM 4425; Chapter 961 of the
30 Statutes of 1975).
- 31 (10) Comprehensive School Safety Plans (98-TC-01 and
32 99-TC-10; Chapter 736 of the Statutes of 1997; Chapter 996 of
33 the Statutes of 1999; and Chapter 828 of the Statutes of 2003).
- 34 (11) Consolidation of Annual Parent Notification/Schoolsite
35 Discipline Rules/Alternative Schools (CSM 4488, CSM 4461,
36 99-TC-09, 00-TC-12, 97-TC-24, CSM 4453, CSM 4474, CSM
37 4462; Chapter 448 of the Statutes of 1975; Chapter 965 of the
38 Statutes of 1977; Chapter 975 of the Statutes of 1980; Chapter 469
39 of the Statutes of 1981; Chapter 459 of the Statutes of 1985;
40 Chapters 87 and 97 of the Statutes of 1986; Chapter 1452 of the

1 Statutes of 1987; Chapters 65 and 1284 of the Statutes of 1988;
2 Chapter 213 of the Statutes of 1989; Chapters 10 and 403 of the
3 Statutes of 1990; Chapter 906 of the Statutes of 1992; Chapter
4 1296 of the Statutes of 1993; Chapter 929 of the Statutes of 1997;
5 Chapters 846 and 1031 of the Statutes of 1998; Chapter 1 of the
6 Statutes of 1999, First Extraordinary Session; Chapter 73 of the
7 Statutes of 2000; Chapter 650 of the Statutes of 2003; Chapter 895
8 of the Statutes of 2004; and Chapter 677 of the Statutes of 2005).

9 (12) Consolidation of Law Enforcement Agency Notification
10 and Missing Children Reports (CSM 4505; Chapter 1117 of the
11 Statutes of 1989 and 01-TC-09; Chapter 249 of the Statutes of
12 1986; and Chapter 832 of the Statutes of 1999).

13 (13) Consolidation of Notification to Teachers: Pupils Subject
14 to Suspension or Expulsion I and II, and Pupil Discipline Records
15 (00-TC-10 and 00-TC-11; Chapter 345 of the Statutes of 2000).

16 (14) County Office of Education Fiscal Accountability Reporting
17 (97-TC-20; Chapters 917 and 1452 of the Statutes of 1987;
18 Chapters 1461 and 1462 of the Statutes of 1988; Chapter 1372 of
19 the Statutes of 1990; Chapter 1213 of the Statutes of 1991; Chapter
20 323 of the Statutes of 1992; Chapters 923 and 924 of the Statutes
21 of 1993; Chapters 650 and 1002 of the Statutes of 1994; and
22 Chapter 525 of the Statutes of 1995).

23 (15) Criminal Background Checks (97-TC-16; Chapters 588
24 and 589 of the Statutes of 1997).

25 (16) Criminal Background Checks II (00-TC-05; Chapters 594
26 and 840 of the Statutes of 1998; and Chapter 78 of the Statutes of
27 1999).

28 (17) Developer Fees (02-TC-42; Chapter 955 of the Statutes of
29 1977; Chapter 282 of the Statutes of 1979; Chapter 1354 of the
30 Statutes of 1980; Chapter 201 of the Statutes of 1981; Chapter 923
31 of the Statutes of 1982; Chapter 1254 of the Statutes of 1983;
32 Chapter 1062 of the Statutes of 1984; Chapter 1498 of the Statutes
33 of 1985; Chapters 136 and 887 of the Statutes of 1986; and Chapter
34 1228 of the Statutes of 1994).

35 (18) Differential Pay and Reemployment (99-TC-02; Chapter
36 30 of the Statutes of 1998).

37 (19) Expulsion of Pupil: Transcript Cost for Appeals (SMAS;
38 Chapter 1253 of the Statutes of 1975).

39 (20) Financial and Compliance Audits (CSM 4498 and CSM
40 4498-A; Chapter 36 of the Statutes of 1977).

- 1 (21) Graduation Requirements (CSM 4181; Chapter 498 of the
2 Statutes of 1983).
- 3 (22) Habitual Truants (CSM 4487 and CSM 4487-A; Chapter
4 1184 of the Statutes of 1975).
- 5 (23) High School Exit Examination (00-TC-06; Chapter 1 of
6 the Statutes of 1999, First Extraordinary Session; and Chapter 135
7 of the Statutes of 1999).
- 8 (24) Immunization Records (SB 90-120; Chapter 1176 of the
9 Statutes of 1977).
- 10 (25) Immunization Records—Hepatitis B (98-TC-05; Chapter
11 325 of the Statutes of 1978; Chapter 435 of the Statutes of 1979;
12 Chapter 472 of the Statutes of 1982; Chapter 984 of the Statutes
13 of 1991; Chapter 1300 of the Statutes of 1992; Chapter 1172 of
14 the Statutes of 1994; Chapters 291 and 415 of the Statutes of 1995;
15 Chapter 1023 of the Statutes of 1996; and Chapters 855 and 882
16 of the Statutes of 1997).
- 17 (26) Interdistrict Attendance Permits (CSM 4442; Chapters 172
18 and 742 of the Statutes of 1986; Chapter 853 of the Statutes of
19 1989; Chapter 10 of the Statutes of 1990; and Chapter 120 of the
20 Statutes of 1992).
- 21 (27) Intradistrict Attendance (CSM 4454; Chapters 161 and 915
22 of the Statutes of 1993).
- 23 (28) Juvenile Court Notices II (CSM 4475; Chapters 1011 and
24 1423 of the Statutes of 1984; Chapter 1019 of the Statutes of 1994;
25 and Chapter 71 of the Statutes of 1995).
- 26 (29) Notification of Truancy (CSM 4133; Chapter 498 of the
27 Statutes of 1983; Chapter 1023 of the Statutes of 1994; and Chapter
28 19 of the Statutes of 1995).
- 29 (30) Parental Involvement Programs (03-TC-16; Chapter 1400
30 of the Statutes of 1990; Chapters 864 and 1031 of the Statutes of
31 1998; and Chapter 1037 of the Statutes of 2002).
- 32 (31) Physical Performance Tests (96-365-01; Chapter 975 of
33 the Statutes of 1995).
- 34 (32) Prevailing Wage Rate (01-TC-28; Chapter 1249 of the
35 Statutes of 1978).
- 36 (33) Public Contracts (02-TC-35; Chapter 1073 of the Statutes
37 of 1985; Chapter 1408 of the Statutes of 1988; Chapter 330 of the
38 Statutes of 1989; Chapter 1414 of the Statutes of 1990; Chapter
39 321 of the Statutes of 1990; Chapter 799 of the Statutes of 1992;
40 and Chapter 726 of the Statutes of 1994).

1 (34) Pupil Health Screenings (CSM 4440; Chapter 1208 of the
2 Statutes of 1976; Chapter 373 of the Statutes of 1991; and Chapter
3 750 of the Statutes of 1992).

4 (35) Pupil Promotion and Retention (98-TC-19; Chapter 100
5 of the Statutes of 1981; Chapter 1388 of the Statutes of 1982;
6 Chapter 498 of the Statutes of 1983; Chapter 1263 of the Statutes
7 of 1990; and Chapters 742 and 743 of the Statutes of 1998).

8 (36) Pupil Safety Notices (02-TC-13; Chapter 498 of the Statutes
9 of 1983; Chapter 482 of the Statutes of 1984; Chapter 948 of the
10 Statutes of 1984; Chapter 196 of the Statutes of 1986; Chapter 332
11 of the Statutes of 1986; Chapter 445 of the Statutes of 1992;
12 Chapter 1317 of the Statutes of 1992; Chapter 589 of the Statutes
13 of 1993; Chapter 1172 of the Statutes of 1994; Chapter 1023 of
14 the Statutes of 1996; and Chapter 492 of the Statutes of 2000).

15 (37) Pupil Expulsions (CSM 4455; Chapter 1253 of the Statutes
16 of 1975; Chapter 965 of the Statutes of 1977; Chapter 668 of the
17 Statutes of 1978; Chapter 318 of the Statutes of 1982; Chapter 498
18 of the Statutes of 1983; Chapter 622 of the Statutes of 1984;
19 Chapter 942 of the Statutes of 1987; Chapter 1231 of the Statutes
20 of 1990; Chapter 152 of the Statutes of 1992; Chapters 1255, 1256,
21 and 1257 of the Statutes of 1993; and Chapter 146 of the Statutes
22 of 1994).

23 (38) Pupil Expulsion Appeals (CSM 4463; Chapter 1253 of the
24 Statutes of 1975; Chapter 965 of the Statutes of 1977; Chapter 668
25 of the Statutes of 1978; and Chapter 498 of the Statutes of 1983).

26 (39) Pupil Suspensions (CSM 4456; Chapter 965 of the Statutes
27 of 1977; Chapter 668 of the Statutes of 1978; Chapter 73 of the
28 Statutes of 1980; Chapter 498 of the Statutes of 1983; Chapter 856
29 of the Statutes of 1985; and Chapter 134 of the Statutes of 1987).

30 (40) School Accountability Report Cards (97-TC-21, 00-TC-09,
31 00-TC-13, and 02-TC-32; Chapter 918 of the Statutes of 1997;
32 Chapter 912 of the Statutes of 1997; Chapter 824 of the Statutes
33 of 1994; Chapter 1031 of the Statutes of 1993; Chapter 759 of the
34 Statutes of 1992; and Chapter 1463 of the Statutes of 1989).

35 (41) School District Fiscal Accountability Reporting (97-TC-19;
36 Chapter 100 of the Statutes of 1981; Chapter 185 of the Statutes
37 of 1985; Chapter 1150 of the Statutes of 1986; Chapters 917 and
38 1452 of the Statutes of 1987; Chapters 1461 and 1462 of the
39 Statutes of 1988; Chapter 525 of the Statutes of 1990; Chapter
40 1213 of the Statutes of 1991; Chapter 323 of the Statutes of 1992;

1 Chapters 923 and 924 of the Statutes of 1993; Chapters 650 and
2 1002 of the Statutes of 1994; and Chapter 525 of the Statutes of
3 1995).

4 (42) School District Reorganization (98-TC-24; Chapter 1192
5 of the Statutes of 1980; and Chapter 1186 of the Statutes of 1994).

6 (43) Student Records (02-TC-34; Chapter 593 of the Statutes
7 of 1989; Chapter 561 of the Statutes of 1993; Chapter 311 of the
8 Statutes of 1998; and Chapter 67 of the Statutes of 2000).

9 (44) The best practices teacher evaluation system described in
10 Sections 44661 and 44662 of the Education Code.

11 (45) The Stull Act (98-TC-25; Chapter 498 of the Statutes of
12 1983; and Chapter 4 of the Statutes of 1999).

13 (46) Threats Against Peace Officers (CSM 96-365-02; Chapter
14 1249 of the Statutes of 1992; and Chapter 666 of the Statutes of
15 1995).

16 (47) Uniform Complaint Procedures (03-TC-02; Chapter 1117
17 of the Statutes of 1982; Chapter 1514 of the Statutes 1988; and
18 Chapter 914 of the Statutes of 1998).

19 (48) Williams Case Implementation I, II, and III (05-TC-04,
20 07-TC-06, and 08-TC-01; Chapters 900, 902, and 903 of the
21 Statutes of 2004; Chapter 118 of the Statutes of 2005; Chapter 704
22 of the Statutes of 2006; and Chapter 526 of the Statutes of 2007).

23 (49) Pupil Expulsions II, Pupil Suspensions II, and Educational
24 Services Plan for Expelled Pupils (96-358-03, 03A, 98-TC-22,
25 01-TC-18, 98-TC-23, 97-TC-09; Chapters 972 and 974 of the
26 Statutes of 1995; Chapters 915, 937, and 1052 of the Statutes of
27 1996; Chapter 637 of the Statutes of 1997; Chapter 498 of the
28 Statutes of 1998; Chapter 332 of the Statutes of 1999; Chapter 147
29 of the Statutes of 2000; and Chapter 116 of the Statutes of 2001).

30 (f) Notwithstanding Section 10231.5, on or before November
31 1 of each fiscal year, the Superintendent of Public Instruction shall
32 produce a report that indicates the total amount of block grant
33 funding each school district, county office of education, and charter
34 school received in that fiscal year pursuant to this section. The
35 Superintendent of Public Instruction shall provide this report to
36 the appropriate fiscal and policy committees of the Legislature,
37 the Controller, the Department of Finance, and the Legislative
38 Analyst's Office.

39 (g) This section shall become operative on July 1, 2018.

1 SEC. 17. If the Commission on State Mandates determines
2 that this act contains costs mandated by the state, reimbursement
3 to local agencies and school districts for those costs shall be made
4 pursuant to Part 7 (commencing with Section 17500) of Division
5 4 of Title 2 of the Government Code.

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